

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DENON KITT,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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3:15-CV-1115  
(JUDGE MARIANI)

ORDER

AND NOW, THIS 26TH DAY OF MARCH, 2018, upon review of Magistrate Judge Mehalchick's Report & Recommendation, (Doc. 72), for clear error and manifest injustice,<sup>1</sup>

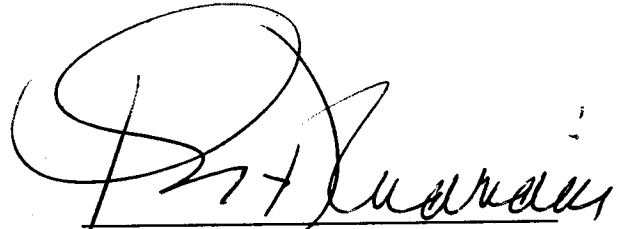
**IT IS HEREBY ORDERED THAT:**

1. The Report & Recommendation, (Doc. 72), is **ADOPTED**, for the reason stated therein.
2. Defendant's Motion for Summary Judgment, (Doc. 58), is **GRANTED**. The Clerk of the Court is directed to enter judgment **IN FAVOR** of Defendant and **AGAINST** Plaintiff on all of Plaintiff's claims.
3. Plaintiff's Motion, (Doc. 71), to the extent that it asks this Court to rule on Defendant's Motion for Summary Judgment based on the evidence already in the record, is **GRANTED**.

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<sup>1</sup> On March 12, 2018, Plaintiff filed a Motion seeking an extension of time in which to file objections to the Report & Recommendation. (Doc. 73). The Court granted the Motion and directed Plaintiff to file any objections to the Report & Recommendation on or before March 20, 2018. (Doc. 74). As of this date, Plaintiff has filed no objections.

4. The Clerk of the Court is directed to **CLOSE** this case.

A handwritten signature in black ink, appearing to read "Robert D. Mariani", written over a horizontal line.

Robert D. Mariani  
United States District Judge